

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ERIC TABARO NSHIMIYE,  
a/k/a Eric Tabaro Nshimiyimana,

Defendant

CRIMINAL No. 1:24-cr-10071-FDS

**JOINT STATUS REPORT AND MOTION FOR EXCLUSION OF TIME**

The United States of America and the defendant, through counsel, hereby submit this joint status report.

On April 4, 2025, this Court denied both the defendant's Sealed Ex Parte Motion for Issuance of Letters Rogatory and the government's Motion for Clarification or Reconsideration. Dkt. Nos. 77 and 78. In one of its orders, the Court denied the request to issue five letters rogatory but said that it "might consider authorizing" two requested letters rogatory if the defendant could demonstrate that he could not obtain the documents from the government or another source. Dkt. No. 77. The defense then filed an *ex parte* request that the court issue these two letters. Dkt. No. 80. In a public ruling issued on April 15, 2025, the court explained that these last two letters would request travel documents from the Kenyan and Rwandan governments. Dkt. No. 84. The Court wrote that it was "considering issuing the two letters" and limiting the requested information to that produced between 1994 and 1995. Dkt. No. 84. It asked the parties to confer and ordered the government to file a response. Dkt. No. 84.

On April 24, 2025, the defense provided copies of these two proposed letters rogatory to the government. On April 30, 2025, the defense also provided the government with a two-page,

single-spaced list of requests for information that it was hoping to obtain from foreign entities. The government is assessing both the proposed letters rogatory and this list. Given that, it has filed an assented-to motion to extend the time for filing its response to the Court's order until May 13, 2025. Dkt. No. 85. The government is awaiting a ruling on that motion. Similarly, the defense filed an assented-to motion to continue its deadline for filing an appeal or objections to the April 4 order until May 23, 2025. Dkt. No. 86. The Honorable F. Dennis Saylor, IV, granted that motion on April 29, 2025. Dkt. No. 87.

Also, on March 28, 2025, defense counsel visited the U.S. Attorney's Office to review the contents of several banker's boxes of hard copy discovery produced to the defense in *Kantengwa* and *Munyenyenzi*. The government reminded the defense that all of this material, kept at the U.S. Attorney's Office, should be deemed "Protected Information Subject to Protective Order," as that phrase is used the Protective Order entered in this matter, even though each page is not so marked. Dkt. No. 35. On the same day, the government produced the contents of about 64 compact discs containing information relating to the *Kantengwa* and *Munyenyenzi* cases. Some of these materials are also subject to the Protective Order issued in this case. Dkt. No. 35. The defense is continuing to review discovery produced in this matter.

Given the status of discovery and motion practice in this matter, the parties jointly request that the Court schedule an interim status conference on or about June 5, 2025, unless the Court wishes to see the parties sooner. The government – with the assent of the defense – also moves that the court find that the ends of justice served by continuing the case until June 5, 2025 (or the next scheduled appearance) outweigh the best interest of the public and the defendant in a speedy trial, because failing to grant the continuance would deny counsel for both the Government and the defendant the reasonable time necessary for effective preparation, taking

into account the exercise of due diligence. 18 U.S.C. §§ 3161(h)(7)(A),(B)(iv).

Finally, on April 15, 2025, the defense moved for appointment as counsel representing the defendant. Dkt. No. 82. The defense awaits a ruling on that motion.

Respectfully submitted,

ERIC TABARO NSHIMIYE  
Defendant

LEAH B. FOLEY  
United States Attorney

By: s/ Maksim Nemtsev by JTM  
Maksim Nemtsev  
Kurt P. Kerns  
Counsel to Eric Tabaro Nshimiye

By: s/ Amanda Beck  
Amanda Beck  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

s/ Amanda Beck  
Amanda Beck  
Assistant United States Attorney

Date: May 6, 2025